

**UNITED STATES DISTRICT COURT  
IN THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

KRAFT FOODS GLOBAL, INC., THE	)	
KELLOGG COMPANY, GENERAL	)	
MILLS, INC., and NESTLÉ USA, INC.,	)	No. 1:11-cv-08808
	)	
Plaintiffs,	)	Judge Steven C. Seeger
	)	
v.	)	
	)	
UNITED EGG PRODUCERS, INC.,	)	
UNITED STATES EGG MARKETERS,	)	
INC., CAL-MAINE FOODS, INC.,	)	
MICHAEL FOODS INC., and ROSE ACRE	)	
F FARMS, INC.	)	
	)	
Defendants.	)	

**DEFENDANTS UNITED EGG PRODUCERS, INC. AND UNITED STATES EGG  
MARKETERS' MOTION TO JOIN IN DEFENDANT CAL-MAINE FOODS, INC.'S  
MOTION TO CORRECT UNTRUE STATEMENTS IN PLAINTIFFS' SURREPLY AND  
ADD EXHIBITS TO THE RECORD AND DEFENDANT ROSE ACRE FARMS, INC.'S  
MOTION FOR LEAVE TO FILE SHORT RESPONSE TO PLAINTIFFS' SURREPLY**

Like the other Defendants in this matter, Defendants United Egg Producers, Inc. ("UEP") and United States Egg Marketers, Inc. ("USEM") opposed Plaintiffs' Motion for Leave To File Surreply because their reply memoranda did not raise any "new" arguments that would support Plaintiffs' request for leave to file a surreply. And like the other Defendants, UEP and USEM strongly object to Plaintiffs' misstatements and misrepresentations regarding Defendants' efforts to obtain the settlement agreements at issue and the parties' stipulation not to admit the settlements at trial. In the interests of judicial economy and efficiency, UEP and USEM file this motion to avoid unnecessary duplication of arguments. The arguments and legal support set forth in Defendant Cal-Maine Foods, Inc.'s Motion to Correct Untrue Statements in Plaintiffs' Surreply and Add Exhibits to the Record (ECF No. 768) and Defendant Rose Acre Farms, Inc.'s Motion

for Leave to File Short Response to Plaintiffs' Surreply (ECF No. 767) apply equally to UEP and USEM and are incorporated herein by reference. *See Mims v. Boeing Co.*, No. 18-00264, 2022 WL 2316199, at \*1 (N.D. Ill. June 28, 2022) (granting motion on behalf of parties who joined in and incorporated by reference arguments raised in motion filed by co-defendant "for the same reasons").

For these reasons, UEP and USEM respectfully request that this Court grant their motion and permit the requested joinder. In the event the Court grants the relief requested by Defendant Rose Ace, UEP and USEM do not anticipate filing a separate response to Plaintiffs' surreply, but rather anticipate joining the response filed by Defendant Rose Acre.

Dated: February 21, 2025

Respectfully submitted:

/s/ Robin P. Sumner

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